

Applicants : Scott Franson et al.
Serial No. : 09/854,997
Page : 11

REMARKS

Applicants acknowledge the Examiner's review of the specification, claims, and drawings and indication of allowable subject matter. In light of the above amendments and following remarks, Applicants respectfully request reconsideration of the present application. The amendments presented herein are fully supported by the application as filed. No new matter has been entered.

STATUS OF THE CLAIMS:

Claims 1-3, 5, 8-28, 30-34, and 39-44 are pending in the application. Claims 6 and 7 have been cancelled herein. Claims 4, 29, and 35-38 were previously cancelled. Claims 8-11, 13-28, and 30-34 are allowed. Claim 6 was objected to but indicated as being allowable if rewritten in independent form. Applicants have amended Claim 1 to incorporate the limitations of Claim 6 and is, therefore, now believed to be allowable along with its dependent claims, namely Claims 2, 5, 12, 41 and 42.

CLAIM REJECTIONS UNDER 35 U.S.C. § 102:

The Examiner rejects Claims 1-3, 5, 7, 12, 39, and 40 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,083,616 to Polan.

Applicants have amended Claim 1 to incorporate the limitations of Claim 6 and is, therefore, now believed to be allowable along with its dependent claims, namely Claims 2, 5, and 12 and also new Claims 41 and 42. In addition, Applicants have cancelled Claim 7.

With respect to Claim 3, Applicants have amended Claim 3 to more clearly define Applicants' invention, which now calls for:

A sprinkler head for a fire extinguishing system
comprising:

Applicants : Scott Franson et al.
Serial No. : 09/854,997
Page : 12

a sprinkler body having an orifice, said orifice defining an inlet and an outlet;

a body extension attached to said sprinkler body and having an extending section extending below said outlet of said sprinkler body;

a retaining member positioned below said outlet and within said body extension, said retaining member mounted to be movable relative to said body extension and said sprinkler body;

a deflector movable between an activated position and a storage position within said body extension and having at least two support arms projecting therefrom, said retaining member coupled to said support arms at a fixed distance from said deflector, said support arms movably disposed within said body extension, wherein said deflector and said retaining member are positioned within said body extension when in said storage position;

a sealing assembly configured to sealingly engage said outlet of said sprinkler body, said sealing assembly movable from a closed position wherein said sprinkler head is inactive to an open position wherein said sprinkler head is activated; and

a trigger assembly carried by said body extension and operably connected with said sealing assembly and said deflector, wherein said retaining member is captured and halted by said extending section of said body extension when said sprinkler head is activated and said deflector is deployed to its extended position.

Applicants respectfully urge that Polan does not disclose or suggest the claimed combination. For example, Polan does not disclose or suggest a sprinkler head with a deflector that is movable between an activated position and a storage position within an body extension and having at least two support arms projecting from the deflector, in combination with a retaining member that is coupled to the support arms at a fixed distance from the deflector, with the support arms movably disposed within the body extension and, further, wherein the retaining member is captured and halted by the extending section of the body extension when the sprinkler head is activated and the deflector is deployed to its extended position. Therefore, Applicants respectfully urge that Claim 3 and its dependent

Applicants : Scott Franson et al.
Serial No. : 09/854,997
Page : 13

claims, namely Claims 39 and 40 and new Claims 43 and 44 are patentably distinguishable over Polan alone or in combination with any other reference of record.


In light of the above amendments and remarks, Applicants respectfully reconsideration of the present application and a Notice of Allowance of all claims, namely Claims 1-3, 5, 8-28, 30-34, and 39-44. Should the Examiner have any questions or comments, the Examiner is invited to contact the undersigned at (616) 975-5506.

Respectfully submitted,

SCOTT FRANSON ET AL.

By: Van Dyke, Gardner, Linn and Burkhardt, LLP

Date: May 5, 2004


Catherine S. Collins
Registration No. 37 599
2851 Charlevoix Drive, S.E.
P.O. Box 888695
Grand Rapids, MI 49588-8695
(616) 975-5500

CSC:lmse
Enclosures